

115TH CONGRESS  
2D SESSION

# H. R. 5127

To establish a grant program for the funding of water recycling and reuse projects, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2018

Mrs. NAPOLITANO (for herself, Ms. BARRAGÁN, Mr. DESAULNIER, Mr. GRIMALVA, Mr. HUFFMAN, Ms. NORTON, Mr. LOWENTHAL, Ms. ESHOO, Mr. CARBAJAL, and Ms. BROWNLEY of California) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a grant program for the funding of water recycling and reuse projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Recycling In-  
5 vestment and Improvement Act”.

1 **SEC. 2. COMPETITIVE GRANT PROGRAM FOR THE FUNDING**  
2 **OF WATER RECYCLING AND REUSE**  
3 **PROJECTS.**

4 (a) COMPETITIVE GRANT PROGRAM FOR THE FUND-  
5 ING OF WATER RECYCLING AND REUSE PROJECTS.—Sec-  
6 tion 1602(f) of the Reclamation Wastewater and Ground-  
7 water Study and Facilities Act (title XVI of Public Law  
8 102–575; 43 U.S.C. 390h et. seq.) is amended by striking  
9 paragraphs (2) and (3) and inserting the following:

10 “(2) PRIORITY.—When funding projects under  
11 paragraph (1), the Secretary shall give funding pri-  
12 ority to projects that meet one or more of the fol-  
13 lowing criteria:

14 “(A) Projects that are likely to provide a  
15 more reliable water supply for States and local  
16 governments.

17 “(B) Projects that are likely to increase  
18 the water management flexibility and reduce  
19 impacts on environmental resources from  
20 projects operated by Federal and State agen-  
21 cies.

22 “(C) Projects that are regional in nature.

23 “(D) Projects with multiple stakeholders.

24 “(E) Projects that provide multiple bene-  
25 fits, including water supply reliability, eco-sys-

1           tem benefits, groundwater management and en-  
2           hancements, and water quality improvements.”.

3           (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 1602(g) of the Reclamation Wastewater and Groundwater  
5 Study and Facilities Act (title XVI of Public Law 102–  
6 575; 43 U.S.C. 390h et. seq.) is amended—

7           (1) by striking “\$50,000,000” and inserting  
8           “\$500,000,000”; and

9           (2) by striking “if enacted appropriations legis-  
10          lation designates funding to them by name,”.

11          (c) DURATION.—Section 4013 of the WIIN Act (43  
12 U.S.C. 390b(2)) is amended—

13           (1) in paragraph (1), by striking “and”;

14           (2) in paragraph (2), by striking the period and  
15          inserting “; and”; and

16           (3) by adding at the end the following:

17           “(3) section 4009(c).”.

18          (d) REPEAL OF LIMITATIONS ON FUNDING.—

19           (1) RECLAMATION WASTEWATER AND GROUND-  
20          WATER STUDY AND FACILITIES ACT.—Section 1631  
21          of the Reclamation Wastewater and Groundwater  
22          Study and Facilities Act (43 U.S.C. 390h–13) is  
23          amended by striking subsection (d).

1           (2) CLEAN WATER ACT.—Section 220 of the  
2       Federal Water Pollution Control Act (33 U.S.C.  
3       1300) is amended to read as follows:

4       **“SEC. 220. PROGRAM FOR ALTERNATIVE WATER SOURCE**  
5                               **PROJECTS.**

6           “(a) POLICY.—Nothing in this section shall be con-  
7       strued to affect the application of section 101(g) of this  
8       Act and all of the provisions of this section shall be carried  
9       out in accordance with the provisions of section 101(g).

10          “(b) IN GENERAL.—The Administrator may estab-  
11       lish a program to make grants to State, interstate, and  
12       intrastate water resource development agencies (including  
13       water management districts and water supply authorities),  
14       local government agencies, private utilities, and nonprofit  
15       entities for alternative water source projects to meet crit-  
16       ical water supply needs.

17          “(c) ELIGIBLE ENTITY.—The Administrator may  
18       make grants under this section to an entity only if the  
19       entity has authority under State law to develop or provide  
20       water for municipal, industrial, and agricultural uses in  
21       an area of the State that is experiencing critical water  
22       supply needs.

23          “(d) SELECTION OF PROJECTS.—

24                       “(1) LIMITATION.—A project that has received  
25       funds for construction under the reclamation and

1 reuse program conducted under the Reclamation  
2 Projects Authorization and Adjustment Act of 1992  
3 (43 U.S.C. 390h et seq.) shall not be eligible for  
4 grant assistance under this section.

5 “(2) GEOGRAPHICAL DISTRIBUTION.—Alter-  
6 native water source projects selected by the Adminis-  
7 trator under this section shall reflect a variety of  
8 geographical and environmental conditions.

9 “(e) USES OF GRANTS.—Amounts from grants re-  
10 ceived under this section may be used for engineering, de-  
11 sign, construction, and final testing of alternative water  
12 source projects designed to meet critical water supply  
13 needs. Such amounts may not be used for planning, feasi-  
14 bility studies, operation, maintenance, replacement, repair,  
15 or rehabilitation.

16 “(f) COST SHARING.—The Federal share of the eligi-  
17 ble costs of an alternative water source project carried out  
18 using assistance made available under this section shall  
19 not exceed 50 percent.

20 “(g) REPORTS.—On or before September 30, 2023,  
21 the Administrator shall transmit to Congress a report on  
22 the results of the program established under this section,  
23 including progress made toward meeting the critical water  
24 supply needs of the participants in the program.

1       “(h) DEFINITIONS.—In this section, the following  
2 definitions apply:

3           “(1) ALTERNATIVE WATER SOURCE PROJECT.—

4       The term ‘alternative water source project’ means a  
5 project designed to provide municipal, industrial,  
6 and agricultural water supplies in an environ-  
7 mentally sustainable manner by conserving, man-  
8 aging, reclaiming, or reusing water, wastewater, or  
9 stormwater, or by treating wastewater or  
10 stormwater. Such term does not include water treat-  
11 ment or distribution facilities.

12           “(2) CRITICAL WATER SUPPLY NEEDS.—The

13 term ‘critical water supply needs’ means existing or  
14 reasonably anticipated future water supply needs  
15 that cannot be met by existing water supplies, as  
16 identified in a comprehensive statewide or regional  
17 water supply plan or assessment projected over a  
18 planning period of at least 20 years.

19           “(i) AUTHORIZATION OF APPROPRIATIONS.—There is

20 authorized to be appropriated to carry out this section a  
21 total of \$375,000,000 beginning in fiscal year 2019. Such  
22 sums shall remain available until expended.”.

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